

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

Trans-Radial Solutions, LLC,

Plaintiff,

v.

Burlington Medical, LLC, Mr. John Williams,
Fox Three Partners, LLC, and Phillips Safety
Products, Inc.

Defendants.

Civil Action No. 2:18-cv-00656

PLAINTIFF’S MOTION FOR LEAVE TO RESET SETTLEMENT CONFERENCE

Plaintiff Trans-Radial Solutions, LLC, by counsel, respectfully moves this Court to modify its June 27, 2019 Bench Order (D.E. 39) setting a settlement conference within 30 days of July 29, 2019. Specifically, Plaintiff proposes rescheduling the settlement conference to a later date by approximately 8 weeks for reasons explained in the accompanying Memorandum. As of today, despite a Motion to Compel and looming claim construction deadlines, Defendants have produced not a single discovery response, evading questions about the scope of their infringement, magnitude of damages, and other issues relevant to settlement. The minor revision requested here will allow time for the Court to resolve outstanding motions and permit at least a first round of discovery. It does not change any dates in the Rule 16(b) Scheduling Order (D.E. 43).

Pursuant to Local Rule 37(E), counsel for the parties were unable to reach an agreement on this matter with Defendants expressing their opposition to Plaintiff’s proposal. Plaintiff’s proposed revision, however, would not prejudice Defendants; instead, it will benefit the settlement conference and help to ensure that the United States Magistrate Judge and this Court will have a

more developed factual record on which to decide important issues in this case. The accompanying Memorandum details the minor modification requested and the arguments in support.

Dated: July 12, 2019

TRANS-RADIAL SOLUTIONS, LLC

By: /s/ W. Ryan Snow

Of Counsel

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of July 2019, I electronically filed the foregoing with the Clerk of the Court for the U.S. District Court, Eastern District of Virginia, Norfolk Division, using the electronic case filing system of the court, which will send a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accepting service by electronic means.

/s/ W. Ryan Snow

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